

Malpractice Policy

1. Introduction

This policy is aimed at centres and candidates who are involved in the assessment of all RSL qualifications.

The purpose of this policy is to set out the procedures that candidates and centres should follow if they wish to contact us about any potential instances of malpractice. The policy also gives details of the service provided by the awarding body.

This policy is available on our website at www.rslawards.com or can be obtained by calling **0345 460 4747** or e-mailing info@rslawards.com

This policy will be subject to review and monitoring by the awarding body and if necessary will be amended and updated following feedback from candidates and centres. All future versions to this policy will be flagged and will be posted on our website.

Please note that we treat all correspondence with individuals who make complaints or inform us of suspected malpractice in confidence and will not make details available to any other parties.

2. Issue and review

The date of issue of this policy is January 2016. This policy will be reviewed annually.

3. What is malpractice?

Malpractice is defined as any activity or practice which deliberately contravenes regulations and compromises the integrity of the assessment process and/or the validity of certificates. For the purpose of this policy this term also covers misconduct.

The categories listed below are examples of potential centre and candidate malpractice. Please note that this is not an exhaustive list.

- Contravention of our centre and programme approval conditions
- Failure to satisfactorily implement conditions of approval within stated timescales
- Denial of access to resources (premises, records, information, candidates and staff) by any authorised representative and/or the regulatory authorities*
- Failure to adhere to our candidate registration and certification procedures
- Failure to continually adhere to our course/centre approval criteria
- Failure to maintain auditable records, e.g. certification claims
- Fraudulent claim for certificates
- Intentional withholding of information from us which is critical to maintaining the rigour of quality assurance
- Deliberate misuse of our logo
- Plagiarism of any nature by candidates.

Contravention by centres and their candidates of the regulations for external assessment, e.g.:

- Plagiarism of any nature by candidates
- Breaches of confidentiality and security of assessment materials
- Submission of false information to gain a proxy or a qualification
- Disruptive behaviour by candidates
- Failure to adhere to the requirements of our *Reasonable Adjustments and Special Considerations Policy*.

4. What is maladministration?

Maladministration is defined as any activity or practice which results in non-compliance with regulations. Anybody identifying cases of maladministration should report them to the Head of Vocational Qualifications and Quality at RSL.

We are obliged to investigate all cases of maladministration in liaison with the parties concerned. If an investigation results in evidence of maladministration, we will need to impose the appropriate sanction and take the necessary steps to ensure that the candidates' interests are protected as far as is reasonably possible. This may include making arrangements for re-assessment or certification, as appropriate.

5. How to notify us of suspected or actual cases of malpractice

Anybody who identifies or is made aware of suspected or actual cases of malpractice at any time must immediately report their findings to the Head of Vocational Qualifications and Quality and by post, telephone or e-mail.

Head of Vocational Qualifications and Quality

RSL

Ground Floor

Harlequin House

7 High Street

Teddington

TW11 8EE

E-mail: info@rslawards.com

Tel: 0345 460 4747

Please send the report and any accompanying evidence to the Head of Vocational Qualifications and Quality and by post, email or fax. Reports must include:

- Centre's name, address and number
- Candidate's name and registration number
- Centre personnel's details (name, job role) if they are involved in the case
- Title and number of the qualification affected
- Date(s) suspected or actual malpractice occurred
- Full nature of the suspected or actual malpractice
- Contents and outcome of any investigation carried out by the centre or anybody else involved in the case, including any mitigating circumstances
- Written statements from those involved in the case, e.g. witness statements
- Date of the report and the informant's name, position and signature

If a centre conducts its own investigation before submitting its report to us, it should:

- Ensure that staff leading the investigation are independent of the staff/candidates/function being investigated
- Inform those who are suspected of malpractice that they are entitled to know the necessary details of the case and possible outcomes
- Submit the findings of your investigation to us with the report

For information about ensuring authenticity and preventing plagiarism, see the RSL Centre Handbook on our website at www.rslawards.com

6. Reviewing suspected or actual cases of malpractice

The review timescales at each stage of the process

Your report will be acknowledged by the Head of Vocational Qualifications and Quality and within 5 days of receipt.

When we receive the report, we will pass it on to the Quality Committee who will review the report and decide whether to recommend further investigation. Should the Committee decide to conduct an investigation, we will appoint a team of personnel who are not involved with the centre or have any previous dealings with centre personnel or candidates. We will endeavour to finish our investigations no longer than 30 working days from the receipt of the report. Please note that in some cases the investigation may take longer; for example, if a centre visit is required. In such instances, we'll advise all parties concerned of the likely revised timescale.

We will advise all interested parties of the outcome of our investigation within 10 working days of making our decision.

The investigation process

We expect all parties, who are either directly or indirectly involved in the investigation, to fully co-operate with us. In instances where a centre or its candidates do not co-operate, we may have no alternative but to permanently or temporarily remove the centre's approval status or withdraw its candidates from the programme and may also inform the regulatory authorities*.

During the investigation the review process may involve:

- A request for further information from the centre or personnel involved
- Interviews (face to face or by telephone) with personnel involved in the investigation
- Arranging for authorised personnel to carry out a centre visit

Where a decision is referred to the Quality Committee, the majority vote will apply.

In the case of centre malpractice, we will offer support and guidance to help us investigate the matter and reach the appropriate conclusions.

In the case of candidate malpractice, we will ask centres to investigate the issue in liaison with our own personnel.

Where applicable, we will inform the appropriate regulatory authorities* of any investigation into suspected or actual cases of serious malpractice and will agree the appropriate course of remedial action with them.

Please note that in exceptional cases, the regulatory authorities* may lead the investigation.

In cases where certificates for qualifications approved by the regulatory authorities* are deemed to be invalid, we will inform the centre and the candidate and the regulatory authorities* of the reasons why they are invalid and provide details of action to be taken for reassessment and/or certification.

Either at notification of a suspected or actual case of malpractice or at any time during the investigation, we reserve the right to suspend any claims for candidate certification submitted by the centre involved.

The outcome of the investigation

We will consider all factors put forward by the centre or the candidate in determining the appropriate sanctions.

7. Sanctions

If the investigation confirms that malpractice has taken place we will take appropriate and proportionate action based on our Sanctions Policy.

Centre malpractice

It is the centre's responsibility to inform its personnel and candidates affected of the implications of the sanctions.

Candidate malpractice

In cases of malpractice by candidates, it is the centre's responsibility to make candidates aware that their final results may be void if the case is proven and any certificates which have already been issued may be deemed to be invalid and will need to be returned to us.

Examiner malpractice

If an examiner is reported to be colluding with candidates the evidence will be passed to the Head of Assessment and will be closely monitored. If collusion is corroborated then the examiner will be dismissed from the examining panel and the candidates in question will be re-examined.

Reporting the outcome

After an investigation, we will produce a draft report for the centre/candidate to check for factual accuracy. Any subsequent amendments will be agreed between the centre/candidate and us.

We will make the final report available to the centre/candidate and to the regulatory authorities* and other external agencies as required.

If an independent/third party notified us of the suspected or actual case of malpractice, we will inform them of the outcome.

8. Appeals against our decision to impose sanctions

If you wish to appeal against our decision to impose sanctions, please refer to our *Appeals Policy* available from our website at www.rslawards.com

*The regulatory authority for England and Northern Ireland is Ofqual, for Wales Qualifications Wales and for Scotland SQA Accreditation.